

PTO/SB/64 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

GI 52088

First named inventor: *La Vallie*Application No.: *08/949,904*Group Art Unit: *1640*Filed: *October 15, 1997*Examiner: *S. Ungar*Title: *Human SDF-5 Protein and Compositions*Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231**FAX RECEIVED****FEB 16 2001****PETITIONS OFFICE**NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,240 (37 CFR 1.17(m))**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in**the form of Response Under 37 CFR 1.116 (identify type of reply):

- ☒ has been filed previously on October 27, 1999
☐ is enclosed herewith.

B. The issue fee of \$_____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

02/14/2001 LGIBBS 00000005 071060 08949904

01 FEB 14

1240.00 CN

BEST AVAILABLE COPY

PTO/SB/64 (10-00)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

February 16, 2001
Date

Ellen J. Kapinos
Signature

Telephone
Number: (617) 665-8857

Ellen J. Kapinos Reg. 32,245
Typed or printed name

CORRUS: Kay F. Brady
Address

- Enclosures: ☒ Fee Payment
Authorization to Charge
☐ Reply *Dep. Acct. 07-1060*
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☒ Other: Notice of Appeal; Petition for Revival

American Home Products Corp
Patent Dept. - 2B
One Campus Drive
Parsippany, New Jersey 07054

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

February 16, 2001
Date

Ellen J. Kapinos
Signature

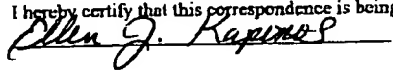
Ellen J. Kapinos
Type or printed name of person signing certificate

CERTIFICATE OF FACSIMILE TRANSMISSION

Date of Transmission: February 16, 2001

Telefax No. 703 308-6916

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated above.



G15288B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : LaVallie and Racie

Serial No. : 08/949,904

Examiner : S. Ungar

Filed : October 15, 1997

Group Art Unit : 1640

For : HUMAN SDF-5 PROTEIN AND COMPOSITIONS

FAX RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX: DAC

FEB 16 2001

PETITIONS OFFICE

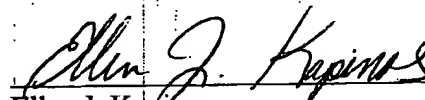
PETITION FOR REVIVAL OF AN APPLICATION UNINTENTIONALLY
ABANDONED UNDER 37 CFR §1.137(b)

Dear Sir:

Applicants respectfully request to revive the above-identified application which was abandoned unintentionally. Applicants inadvertently and unintentionally did not include a Notice of Appeal with the Response filed October 27.

Enclosed is a PTO form SB/64 and a Notice of Appeal. Applicants authorize Honorable Assistant Commissioner for Patent to charge fees occasioned with this Petition \$1,240.00 under 37 C.F.R. 1.17(m) and all additional fees to Deposit Account 07-1060.

Respectfully submitted,



Ellen J. Kapinos

Reg. No. 32,245

Attorney for Applicants

(617) 665-8857

Correspondence Address:

Kay E. Brady

American Home Products Corporation

Patent Department - 2b

One Campus Drive

Parsippany, New Jersey 07054

BEST AVAILABLE COPY